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APPLICATION N	D.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/765,772	•	01/26/2004	Gabe Cherian		2451	
39574	7590	03/01/2006		EXAM	INER	
GABE C	HERIAN	I	NGUYEN, HOA CAO			
P.O. BOX 1335						
SUN VALLEY, ID 83353				ART UNIT	PAPER NUMBER	
	·			2841	2841	
				DATE MAILED: 03/01/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
Office Action Summary	10/765,772	CHERIAN, GABE					
Omoc Adden dammary	Examiner	Art Unit					
The MAILING DATE of this communication and	Hoa C. Nguyen	2841					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
,	Responsive to communication(s) filed on <u>26 January 2004</u> .						
,	, _						
• • •	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) Claim(s) <u>1-21</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
	6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.	1 . C						
8) Claim(s) 1-21 are subject to restriction and/or election requirement.							
Application Papers							
9) The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) Interview Summary						
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate : ratent Application (PTO-152)					

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-6, drawn to a structure of a solder pad, classified in class 174, subclass 138G.
- II. Claims 7-11, drawn to a structure of a solder joint, classified in class 228, subclass 4.1 plus.
- III. Claims 12-19, drawn to a method of creating an assembly for a joining mean, classified in class 29, subclass 830 plus.
- IV. Claims 20-21, drawn to a structure of a lead frame, classified in class 361, subclass 723 plus.
- 2. The inventions are distinct, each from the other because of the following reasons:
- 3. Inventions III and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed could be formed by not using a solder joint but by conductive adhesive glue instead soldering.

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4. Inventions III and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be formed by not using a spacer between the device and the printed circuit board but by a precise setting and compressing (between an electronic device and a PCB) during soldering process.

- 5. Inventions III and IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions between the Invention III and IV are as followings:
- (a) Invention III drawn to a method of soldering an electronic device on a surface of a PCB (a surface mounting process).
- (b) Invention IV drawn to a structure of a <u>lead frame</u>, which is clearly unrelated to the process of soldering in the Invention III.
- 6. Inventions IV and I are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions between the Invention IV and I are as followings:
 - (a) Invention IV drawn to a structure of a lead frame.

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(b) Invention I drawn to a structure of a solder pad.

Because the structure of the solder pad is totally independent from the structure of the lead frame, therefore both structures are not disclosed as capable of use together and they have different designs, modes of operation, and effects.

- 7. Inventions IV and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions between the Invention IV and II are as followings.
 - (a) Invention IV drawn to a structure of a lead frame.
 - (b) Invention II drawn to a structure of a solder joint.

Because the structure of the solder joint is totally independent from the structure of the lead frame, therefore both structures are not disclosed as capable of use together and they have different designs, modes of operation, and effects.

8. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, invention II has separate utility such as the solder joint has a smaller cross-section at about the middle of tits height. See MPEP § 806.05(d).

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9. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

10. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa C. Nguyen whose telephone number is 571-272-8293. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RANDY W. GIBSON PRIMARY EXAMINER